

## EDITORIAL

This 11<sup>th</sup> issue of Kyiv-Mohyla Law & Politics Journal (KMLPJ) follows the established practice of selecting and publishing high quality scholarly papers in law and political science from all over the world. The KMLPJ has always been focused on academic quality and editorial transparency based on principles of open access. Therefore, the KMLPJ offers unrestricted and free open access to the papers without any time limit. The KMLPJ's Editorial Board expresses deep gratitude to our sponsors who have been making this happen since the launch of the KMLPJ in 2015. Our efforts were recognized by independent reviewers, and in February 2025 the KMLPJ was accepted for indexing into Scopus database which made it even more accessible to scholars around the world. This is the achievement of the editorial team, members of the Editorial Board, strict and objective reviewers, competent authors and devoted readers. We don't stop here and look forward to keeping up with high quality academic standards we have set for ourselves from the very first day of the KMLPJ's existence.

This issue covers a range of significant topics in the articles carefully selected by our editorial team with the assistance of independent reviewers. It starts with the general EU-related topic reflected first in the article by **Robert Talaga and Ida Musiałkowska** "Instrument for Structural Policies for Pre-Accession as an Introduction to the Use of the Cohesion Fund," where Polish authors address the issues of important preparation issues every EU-candidate will be facing. Rich Polish experience in preparation for joining the European Union reflected by the authors is very important and valuable for Ukrainian audience as we are currently undergoing these procedures. This material is followed by a thorough research

article "Legal Techniques in EU Legislative Drafting: A Model for Ukraine's Law-making Reform" by **Tetiana Hudima, Volodymyr Ustymenko, Ruslan Dzhabrailov, and Oleh Zahnitko**. The team of researchers addresses technical issues of EU legislative drafting which is also crucial for our EU-accession process as harmonization of Ukrainian legislation with major EU legislative norms is a cornerstone of current Ukrainian legislative processes. This article is followed by "Judicial Reform in Ukraine in the Times of Post-revolution Opening and the Lessons the EU can Learn" by **Dmytro Koval and Andrii Latsyba** who share Ukrainian experience in reforming our judicial system. The authors' thorough research allows them to construct sound advice that can be used by the EU itself.

The three first legal articles are followed by "Current Trends and Prospects of Ukrainian Return Migration" by **Marharyta Chabanna** who brings an important political science issue of return migration by Ukrainians. Considering the ongoing war, Ukrainians have to flee from their home country and become refugees in another states. However, a number of Ukrainians travel the other way, they go back to Ukraine. The author analyses the reasons for that decision, why people make it, what challenges they face, what is the eventual outcome of their decision from the point of view of political scientist.

The next set of articles focuses on the other important and unforgettable issue in Ukrainian history – the Genocide. This set opens with "Genocide Trials in the International Criminal Court: Challenges of Fact-finding, the Ukrainian Case and ECHR Standards" – a thorough research on ICC jurisprudence in genocide cases by **Oleksandr Drozdov, Olena Drozdova, and Iryna Basysta**. The team of these authors has

rich experience in analyzing international courts' jurisprudence, and their presented material is rich in new findings and academic as well as practical suggestions. This set is followed by **Maksym Vishchyk's** "Undoing the Group's Fabric: Social Disintegration as a Possible Manifestation of Genocidal Intent" where this scholar provides thorough analysis of genocidal intent features from legal point of view.

Further material "The Polyakh Case: Implications for Lustration in Ukraine and Abroad" by **Bohdan Bernatskyi and Anastasiia Mits** focuses on the issues of lustration. This article provides a thorough insight into foreign experience, focusing primarily on one of the most significant cases in the area.

The following two articles touch upon the rights of the youth from legal and political science points of view. The first material "The Rights of the Child in the Universal Declaration of Human Rights (1948): The History of Creation and the Role of the Ukrainian SSR in that Process" by **Aisel Omarova and Mykhaylo Shepitko** combines the historical and legal analysis of children's' rights as seen by the Universal Declaration of Human Rights. While the second material "Shakal-Express as a Political-Affective Technology: Cancel Culture, Moral Judgment, and Digital Activism among Ukrainian Generation Z during Wartime" by **Ihor Tsyhviutsev** focuses on a special political technology aimed at Ukrainian youth during wartime.

The next article "Unmanned Aerial Vehicles During First World War and Interwar Period (1914-1939), Military Experiments, Origins of International Legal Regulation" by **Mykhailo Akimov and Iryna Pokhylenko** touches upon the essence of military legal regulations developed in the last century. This article gives us understanding on the foundations of those regulations.

Proper state needs proper administrative procedures. Therefore, the following article "Theoretical and Practical Challenges of Proper Administrative Service Fee Regulations" by **Viktor Tymoschuk** who provides thorough analysis of the issue.

The 12<sup>th</sup> article "International Commercial Mediation and the Development of the Right of Access to Justice" by **Mourad Yousfi** provides an insight into private law issues of dispute resolution focusing mainly on mediation.

The last 13<sup>th</sup> article "General and Special Norms Concerning Careless Crimes in the Aspect of Legal Certainty as a Component of the Rule of Law" by **Serhii Bahirov** reflects on the interrelation between the demands the principle of the rule of law sets onto specific criminal law provisions in the area of careless crimes.

This issue also includes a reflection "Review of Court Practice in Disputes on Reclamation of a Share in Common Joint Property" by **Iryna Dzera**, who decided to share her insights on the relevant court practice with our readers.

And finally, a long-awaited book review by **Oleksii Tseliev, Yuliia Matvieieva, and Ievgen Zvieriev** who jointly decided to review the last book "Philosophy of Law" authored by the late Professor Mykola Koziubra who has tragically passed away last year. Prof. Koziubra has served as a member of our editorial board and was a renowned scholar in the areas of jurisprudence, theory of law, constitutional law and philosophy of law. He has been our beloved Teacher who was always eager to share his very deep thoughts with us, his students and colleagues. His book is already being used in many Ukrainian universities, and by this "Lucidly and attractively simply about complex issues of understanding law: General Legal Theory instructors' reflections on the monograph Mykola Koziubra "Practical Philosophy of Law"" material

National University of Kyiv-Mohyla Academy Faculty of Law scholars who were part of “Prof. Koziubra’s school” wanted to pay a tribute to his memory.

Kyiv-Mohyla Law & Politics Journal will continue selecting and publishing the best of the best of authors’ materials thus making sure that the quality of the published scholarship is of the highest scholarly standard. This requires difficult, sometimes extremely demanding but always engaging work of our editorial team that would never materialize without the support of our sponsors. Kyiv-Mohyla Law & Politics Journal wishes to sincerely thank **Ms. Halyna Traversa, Ms. Olha Romanova, Mr. Mykola Khomenko, Mr. Lyubomyr Drozdovskyi, Saienko-Kharenko Law Firm, Everlegal Law Firm, Avellum Law Firm** who have contributed significantly for this issue of our journal to appear. The KMLPJ also expresses its gratitude for support by the (EMBRACing changE: Overcoming obstacles and advancing democracy in the European

Neighbourhood (**EMPRACE**)) project under the EU Horizon Europe scheme, project No.101060809.

And finally, Kyiv-Mohyla Law & Politics Journal editorial team would like to pay tribute to the memory of our first Editor-in-Chief **Prof. Andriy Meleshevych** who has inspired us all to take the challenge of creating a high-quality scholarly interdisciplinary journal published by the National University of Kyiv-Mohyla Academy by attracting the bright minds and what they bring with them. Time passes fast, and this year we are at a point of five years that our beloved and much missed Professor Meleshevych is not with us anymore. However, the team of the journal keeps to its promise to him and will continue to further work hard to make sure quality scholarship is seen and read.

We would also like to specifically thank our numerous readers. You are the ones we are doing our work for!

*Prof. Roman Petrov, Editor-in-Chief  
Dr. Ievgen Zvieriev, Managing Editor*